

PETITION FOR ZONING VARIANCE 84-14-A TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1802.3.B (Section III.C.3) to permit a sideyard setback of 0 feet instead of the required 7 feet.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

Driveway deadends with space for one vehicle. Grandchildren moving in to assist aged person with home care and need width for parking for one additional car, wish to erect open carport to cover the two vehicle of the family.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:
(Type or Print Name)
Signature
Address
City and State
Attorney for Petitioner:
JAY IRWIN BLOCK
(Type or Print Name)
Signature
Address
City and State
Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Jay Irwin Block
Name
1 North Charles Street #809
Address
Baltimore, Maryland 21201
City and State
Attorney's Telephone No.: 752-5722

ORDERED By The Zoning Commissioner of Baltimore County, this 3rd day

of May 1983, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 12th day of July 1983, at 10:00 o'clock A.M.

Zoning Commissioner of Baltimore County.

(over)

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

June 28, 1983

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

Chairman
Nicholas B. Commodari

MEMBERS
Bureau of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial Development

Jay Irwin Block, Esquire
1 North Charles Street
809 Blaustein Building
Baltimore, Maryland 21201

RE: Item No. 225 - Case No. 84-14-A
Petitioner - Hattie Kirson
Variance Petition

Dear Mr. Block:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

Nicholas B. Commodari
Chairman
Zoning Plans Advisory Committee

NBC:bsc

Enclosures

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER
S/S of Midfield Rd., 499.98' W of the Centerline of Lightfoot Dr., 3rd District : OF BALTIMORE COUNTY

HATTIE KIRSON, Petitioner : Case No. 84-14-A

ORDER TO ENTER APPEARANCE

Mr. Commissioner:

Pursuant to the authority contained in Section 524.1 of the Baltimore County Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be now or hereafter designated therefor, and of the passage of any preliminary or final C 'er in connection therewith.

Peter Max Zimmerman
Deputy People's Counsel
John W. Hession, III
People's Counsel for Baltimore County
Rm. 223, Court House
Towson, Maryland 21204
494-2189

I HEREBY CERTIFY that on this 24th day of June, 1983, a copy of the foregoing

Order was mailed to Jay Irwin Block, Esquire, 1 North Charles Street, 809 Blaustein Building, Baltimore, MD 21201, Attorney for Petitioner.

BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

HARRY J. PISTEL, P.E.
DIRECTOR

June 2, 1983

Mr. William E. Hammond
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #225 (1982-1983)
Property Owner: Hattie Kirson
S/S Midfield Rd. 499.98' W. from centerline of Lightfoot Dr.
Acres: 115 X 224.58 District: 3rd

Dear Mr. Hammond:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

General:

Baltimore County highway and utility improvements exist and are not directly involved.

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item 225 (1982-1983).

Very truly yours,

Robert A. Merton, P.E., Chief
Bureau of Public Services

RAM:EM:PMR:SS

C-W Key Sheet
30 & 31 NW 17 Pos. Sheets
NW 8 E Topo
78 Top Map

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

William E. Hammond, Zoning Commissioner
TO: Office of Planning and Zoning Date: May 23, 1983
FROM: Ian J. Forrest
SUBJECT: Zoning Variance Items

The Baltimore County Department of Health has reviewed the following zoning variance items, and has no specific comments regarding same:

- Item # 172 - F & M Enterprises, Inc.
- Item # 178 - Joseph L. Soley
- Item # 181 - Robert H. & Mildred J. McKenny
- Item # 190 - J. N. G. Company, Inc.
- Item # 191 - Fred L. Elrick, Sr.
- Item # 192 - Cohn Brothers
- Item # 198 - Galway, Incorporated
- Item # 199 - Clarence & Irene McNeal
- Item # 204 - Robert C. Baumgartner
- Item # 207 - F & S Partnership
- Item # 210 - Edwin J. & Joan M. Corvany
- Item # 211 - Middle River Realty Company, Inc.
- Item # 224 - Barry L. & Ruth Green
- Item # 225 - Hattie Kirson
- Item # 228 - Christopher R. & Pamela L. Burrow
- Item # 230 - Richard L. & Licia M. Hilbert
- Item # 231 - James E. & Mary H. O'Meara, Jr.
- Item # 232 - Janice K. Paterakis
- Item # 233 - Merritt Elvid, Limited Partnership
- Item # 234 - Buxton Crossing Joint Venture
- Item # 236 - Owen C. & Elaine M. Smith, Jr.
- Item # 237 - Joseph W. & Donna M. Stack
- Item # 238 - John M. & Maureen S. Diangel
- Item # 241 - Broads B. & Ruth W. Whitlock, Jr.
- Item # 242 - Herbert L. & Patricia H. Grymes
- Item # 243 - Lawrence J. & Patricia A. Sadowski
- Item # 244 - Edwin B. & Sharon A. Brager
- Item # 246 - Martin Plaza, Inc.
- Item # 248 - Martin H. Feehley, Jr., et ux

Ian J. Forrest, Director
BUREAU OF ENVIRONMENTAL SERVICES

LJF/rth

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

William E. Hammond
TO: Zoning Commissioner Date: July 1, 1983
Norman E. Gerber, Director
FROM: Office of Planning and Zoning
Zoning Petition No. 84-14-A
SUBJECT: Hattie Kirson

There are no comprehensive planning factors requiring comment on this petition.

Norman E. Gerber, Director
Office of Planning and Zoning

NEG:JGH:slc

cc: Arlene January
Shirley Hess

BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204

TED ZALESKI, JR.
DIRECTOR

May 17, 1983

Mr. William E. Hammond, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #225 Zoning Advisory Committee Meeting May 3, 1983

Property Owner: Hattie Kirson
Location: S/S Midfield Rd. 499.98' W. from centerline of Lightfoot Drive
Existing Zoning: D.U. 2
Proposed Zoning: Variance to permit a sideyard setback of 0' in lieu of the required 7'.

Acres: 115 x 224.58

District: 3rd

The items checked below are applicable:

- ☒ 1. All structure shall conform to the Baltimore County Building Code 1960/ Council Bill 1-82 State of Maryland Code for the Handicapped and Age, and other applicable Codes.
- ☒ 2. A building and other miscellaneous permits shall be required before beginning construction.
- ☒ 3. Residential: Three sets of construction drawings are required to file a permit application. Architect/Engineer seal is/is not required.
- ☒ 4. Commercial: Three sets of construction drawings with a Maryland Registered Architect or Engineer shall be required to file a permit application.
- ☒ 5. An exterior wall erected within 6'0" of an adjacent lot line shall be of one hour fire resistive construction, no openings permitted within 3'-0" of lot lines. A firewall is required if construction is on the lot line, see Table 1401, Line 2, Section 1407 and Table 1402.
- ☒ 6. Requested variance conflicts with the Baltimore County Building Code, Section 1401.
- ☒ 7. A change of occupancy shall be applied for, along with an alteration permit application, and three required sets of drawings indicating how the structure will meet the Code requirements for the proposed change. Drawings may require a professional seal.
- ☒ 8. Before this office can comment on the above structure, please have the owner, thru the services of a Registered in Maryland Architect or Engineer certify to this office, that, the structure for which a proposed change in use is proposed, con comply with the height/area requirements of Table 505 and the required construction classification of Table 1401.
- ☒ 9. Comments: If construction is to the property line, a 2 hour firewall would be required. If the construction stops before it reaches the property line, a 1 hour construction is required; or non-combustible materials such as steel, aluminum, concrete, masonry, etc., on the carport side. The opposite side addition does not constitute a problem.

NOTE: These comments reflect only of the information provided by the drawings submitted to the office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired, additional information may be obtained by visiting Room #122 (Plans Review) at 111 West Chesapeake Ave., 21204.

Charles E. Burnham, Chief
Plans Review

CEB:rrj

FORM 01-82

ORDER RECEIVED FOR FILING

DATE August 12, 1983
BY May Conner
ADMINISTRATIVE ASSISTANT

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that strict compliance with the Baltimore County Zoning Regulations would result in practical difficulty and unreasonable hardship upon the Petitioner(s) and the granting of the variance(s) requested will not adversely affect the health, safety, and general welfare of the community, the variance(s) should be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 12th day of August, 1983, that the herein Petition for Variance(s) to permit a side yard setback of 5.6 feet in lieu of the required 7 feet for the proposed 18.5' x 18.5' open carport, in accordance with the site plan approved by Jay Irwin Block, attorney for the petitioner, and Edward J. Levin, attorney for Bruce Taylor, is hereby GRANTED, from and after the date of this Order, subject, however, to the following restrictions:

- Seventeen 5 to 6 foot high evergreen trees (preferably white pine) shall be planted approximately 5 feet apart, slightly west along the common boundary line between 3313 Midfield Road and 3311 Midfield Road, from a point approximately 5 feet south of the southernmost portion of the carport to be constructed to a point approximately 20 feet from the front boundary line of 3313 Midfield Road. The trees are to be appropriately and continuously maintained by the owner of 3313 Midfield Road.
- Approval of the aforementioned site plan by the Department of Public Works and the Office of Planning and Zoning.

Jean M. H. Jung
Deputy Zoning Commissioner of Baltimore County

LAW OFFICES OF
PIPER & MARBURY
800 CHARLES CENTER SOUTH
36 SOUTH CHARLES STREET
BALTIMORE, MARYLAND 21201
TELEPHONE 301-230-2530
CABLE PIPERMAR BAL
TELEX 908054
JULY 25, 1983

888 SIXTEENTH STREET, N.W.
WASHINGTON, D.C. 20006
TELEPHONE 202-785-8150

Ms. Jean Marie Jung
Deputy Zoning Commissioner
Baltimore County Office Building
Towson, Maryland 21204

Re: Zoning Variance for 3313 Midfield Road
Number 84-14-A

Dear Ms. Jung:

On behalf of Bruce T. Taylor, M.D., the owner of 3311 Midfield Road, I have signed and approved the revised plat in connection with the proposed carport to be constructed at 3313 Midfield Road. The plat shows the proposed carport extending 5.6 feet from the common boundary line of 3313 Midfield Road—within the 7 foot setback area required by the applicable zoning regulation. Dr. Taylor's approval is subject to the following landscaping to be performed by the owner of 3313 Midfield Road prior to or during the construction of the carport:

- Seventeen (17) evergreen trees (preferably white pine) are to be planted slightly west of the common boundary line between 3313 Midfield Road and 3311 Midfield Road, from a point slightly west of that line and approximately 5 feet south of the southernmost portion of the carport to be constructed to a point approximately 20 feet from the front boundary line of 3313 Midfield Road.
- The trees are to be planted approximately 5 feet apart and are to be 5 to 6 feet in height when planted.

BALTIMORE COUNTY PUBLIC SCHOOLS

Robert Y. Dubel, Superintendent

Towson, Maryland - 21204

Date: May 3, 1983

Mr. William E. Hammond
Zoning Commissioner
Baltimore County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

7 .C. Meeting of: May 3, 1983

RE: Item No: 225, 224, 225, 226
Property Owner:
Location:
Present Zoning:
Proposed Zoning:

District:
No. Acres:

Dear Mr. Hammond:

All of the above have no bearing on student population.

Very truly yours,
Wm. Nick Petrovich
Wm. Nick Petrovich, Assistant
Department of Planning

WNP/bp

PIPER & MARBURY

Ms. Jean Marie Jung
Page Two
July 25, 1983

- The trees are to be appropriately and continuously maintained by the owner of 3313 Midfield Road. This maintenance is to be the obligation of the current owner of 3313 Midfield Road and any successor in title.

Sincerely yours,
Edward J. Levin
Edward J. Levin

EJL/mam

cc: Bruce T. Taylor, M.D.
Jay Irwin Block, Esquire

Jay Irwin Block, Esquire
1 North Charles Street
809 Blaustein Bldg.
Baltimore, Md. 21201

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received and accepted for filing this 3rd day of May, 1983.

William E. Hammond
WILLIAM E. HAMMOND
Zoning Commissioner

Petitioner Hattie Kirson

Petitioner's Attorney Jay Irwin Block, Esq.

Reviewed by *Nicholas E. Commodari*
NICHOLAS E. COMMODARI
Chairman, Zoning Plans
Advisory Committee

LAW OFFICES OF
Jay Irwin Block

809 BLAUSTEIN BUILDING
1 NORTH CHARLES STREET
BALTIMORE, MARYLAND 21201
(301) 782-8722

DISTRICT OF COLUMBIA OFFICE
SUITE 400
1219 CONNECTICUT AVENUE, N.W.
WASHINGTON, D.C. 20036
(202) 462-1400

PLEASE REPLY TO:
26 MARYLAND OFFICE
13 D.C. OFFICE

July 25, 1983

Ms. Jean Marie Jung
Deputy Zoning Commissioner
Baltimore County Office Building
Towson, Maryland 21204

Re: Zoning Variance for 3313 Midfield Road
Number 84-14-A

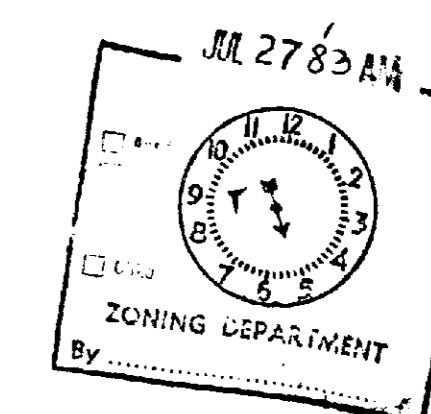
Dear Ms. Jung: *HATTIE KIRSON*

Enclosed please find a modified plat and supporting letter received from the attorney for Bruce T. Taylor, M.D.

Please be advised that my clients have agreed to the additional terms as stated in the letter from Mr. Levin, Dr. Taylor's attorney.

Very truly yours,

Jay Irwin Block
JAY IRWIN BLOCK
JIB/lal
Enclosures
cc: Edward J. Levin, Esquire
Mrs. Hattie Kirson



ZONING DESCRIPTION

Beginning on the south side of Midfield Road, 50 feet wide, at a distance of 499.98 feet west of the centerline of Lightfoot Drive, Being Lot 14, Flat No. 2, in the subdivision of Derbyshire, Flat Book G.L.B. No. 19, Folio 33. Also known as 3313 Midfield Road in the Third Election District.

Mr. William E. Hammond
Zoning Commissioner
Room 109, County Office Building
Towson, Maryland 21204

RE: Case No. 84-14-A
Building Permit Application No.
Election District

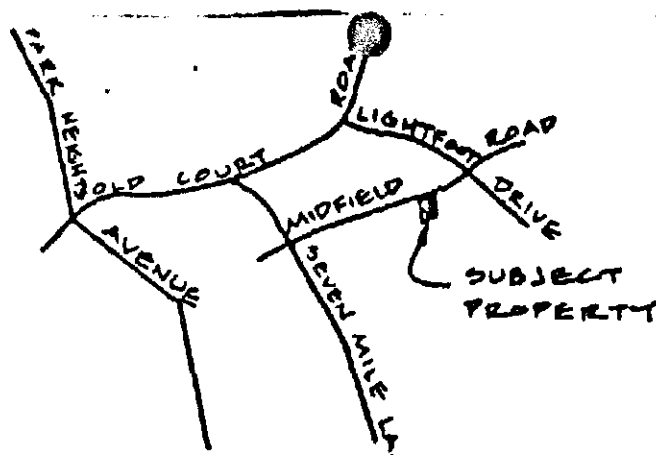
Dear Mr. Hammond:

We, the undersigned, being the owner of the above mentioned property and the applicant for the above referenced building permit, do hereby acknowledge that we are fully aware of your Order being subject to a thirty (30) day appeal period, but wish to go ahead with the permit application prior to the expiration of said appeal period.

We hereby relieve our builder, Baltimore County, Maryland, and you from any liability or responsibility for any consequences which might arise during the appeal period.

Very truly yours,
Edward J. Levin
8/16/83

WEH:bco



MIDFIELD ROAD
(50' R/W)

[illegible]

Item #425



OWNER - HATTIE ALSON

DISTRICT - 3RD, ZONED D.R. 2

SUBDIVISION - DERBYSHIRE

LOT 14, PLAT NO. 2, BOOK NO. 19, FOLIO 33

EXISTING UTILITIES IN MIDFIELD ROAD

SCALE : 1" = 50'

Approved for submission to the Zoning Commission of Baltimore County.

Edward J. Levin, Attorney for Bruce Taylor
Subject to provisions of letter of July 25, 1983

Jay Irwin Block, Attorney for Petitioner

